

Helen F. Dalton and Associates, P.C.

Attorneys at Law

80-02 Kew Gardens Road, Suite 601, Kew Gardens, NY 11415
T. 718.263.9591 ♦ F. 718.263.9598

August 12, 2020

Via U.S. Mail

Ruben Sinchi
92 Wood Avenue
Mastic, New York 11950

Re: Cabrera et al v. Amendola Marble & Stone Center, Inc. et al
Docket No.: 19-cv-6530 (RRM)((VMS)

Mr. Sinchi:

Enclosed please find the docket and most recent order in the above referenced matter. Please be advised that the parties have a conference scheduled for September 16, 2020 at 10:30am.

Sincerely,

/s/
Roman Avshalumov, Esq.

**U.S. District Court
Eastern District of New York (Brooklyn)
CIVIL DOCKET FOR CASE #: 1:19-cv-06530-RRM-VMS**

Cabrera et al v. Amendola Marble & Stone Center, Inc. et al
Assigned to: Judge Roslynn R. Mauskopf
Referred to: Magistrate Judge Vera M. Scanlon
Cause: 28:1331 Fed. Question

Date Filed: 11/19/2019
Jury Demand: Plaintiff
Nature of Suit: 710 Labor: Fair Standards
Jurisdiction: Federal Question

Plaintiff**Pedro Cabrera**

represented by **James Patrick Peter O'Donnell**
80-02 Kew Gardens Road
Suite 601
Kew Gardens, NY 11415
718-263-9591
Email: jamespodonnell86@gmail.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Roman M. Avshalumov
Helen F. Dalton & Associates, P.C.
80-02 Kew Gardens Road
Suite 601
Kew Gardens, NY 11415
718-263-9591
Email: avshalumovr@yahoo.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Alfons D'Auria
Helen F. Dalton & Associates, P.C.
80-02 Kew Gardens Road
Ste 601
Kew Gardens, NY 11415
718-263-9591
Email: alfonsdauria@helendalton.com
ATTORNEY TO BE NOTICED

Janelle Jade Romero
Helen F. Dalton & Associates, P.C.
80-02 Kew Gardens Road
Ste 601
Kew Gardens, NY 11415
718-263-9591
Email: janellejromero19@gmail.com
ATTORNEY TO BE NOTICED

Plaintiff**Jesus Chale**

represented by **James Patrick Peter O'Donnell**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Roman M. Avshalumov
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Alfons D'Auria
(See above for address)
ATTORNEY TO BE NOTICED

Janelle Jade Romero
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

Edison Bermeo Berrones
individually and on behalf of all others similarly situated

represented by **James Patrick Peter O'Donnell**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Roman M. Avshalumov
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Alfons D'Auria
(See above for address)
ATTORNEY TO BE NOTICED

Janelle Jade Romero
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

Amendola Marble & Stone Center, Inc.

represented by **Nathan Aaron Shook**
 Giannasca & Shook PLLC
 220 Ferris Avenue
 White Plains, NY 10603
 914-220-0216
 Fax: 914-220-0217
 Email: nshook@mgnslaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**ABC Corporation**

*name of the corporation being fictitious and unknown to Plaintiffs
 doing business as
 Stone Logic*

Defendant**Joseph Amendola**

represented by **Nathan Aaron Shook**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

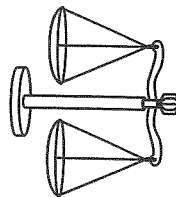
Defendant**Ruben Sinchi****Defendant**

Victor Bautista
as individuals

Date Filed	#	Docket Text
11/19/2019	<u>1</u>	COMPLAINT against All Defendants Was the Disclosure Statement on Civil Cover Sheet completed -no., filed by Jesus Chale, Edison Bermeo Berrones, Pedro Cabrera. (Attachments: # <u>1</u> Civil Cover Sheet) (Bowens, Priscilla) (Entered: 11/21/2019)
11/19/2019	<u>2</u>	Summons Issued as to All Defendants. (Bowens, Priscilla) (Entered: 11/21/2019)
11/19/2019		FILING FEE: \$ 400.00, receipt number 4653145579 (Bowens, Priscilla) (Entered: 11/21/2019)
11/21/2019	<u>3</u>	In accordance with Rule 73 of the Federal Rules of Civil Procedure and Local Rule 73.1, the parties are notified that <i>if</i> all parties consent a United States magistrate judge of this court is available to conduct all proceedings in this civil action including a (jury or nonjury) trial and to order the entry of a final judgment. Attached to the Notice is a blank copy of the consent form that should be filled out, signed and filed electronically only if all parties wish to consent . The form may also be accessed at the following link: http://www.uscourts.gov/uscourts/FormsAndFees/Forms/AO085.pdf . You may withhold your consent without adverse substantive consequences. Do NOT return or file the consent unless all parties have signed the consent. (Bowens, Priscilla) (Entered: 11/21/2019)
12/16/2019	<u>4</u>	NOTICE of Appearance by Nathan Aaron Shook on behalf of Joseph Amendola, Amendola Marble & Stone Center, Inc. (aty to be noticed) (Shook, Nathan) (Entered: 12/16/2019)
12/20/2019	<u>5</u>	Joint MOTION for Extension of Time to File Answer re <u>1</u> Complaint by Joseph Amendola, Amendola Marble & Stone Center, Inc.. (Shook, Nathan) (Entered: 12/20/2019)
12/23/2019	<u>6</u>	ORDER granting <u>5</u> Motion for Extension of Time to Answer as to Joseph Amendola and Amendola Marble & Stone Center, Inc. Defendants' deadline to answer the Complaint or otherwise move is extended to 1/10/2020. SCHEDULING ORDER: As set forth in the attached Order, an Initial Conference is scheduled for 1/30/2020 at 11:30 AM before Magistrate Judge Scanlon in Courtroom 13A South. Plaintiffs' counsel is directed to confirm with Defendants' counsel that all necessary participants are aware of this conference. In order to facilitate settlement discussions, Plaintiffs' counsel is expected to provide Defendants' counsel with a detailed calculation of damages at least one week prior to the Initial Conference. Counsel must complete the attached joint proposed scheduling order and file on ECF no later than 1/23/2020. Any requests for adjournment must be made in writing on notice to opposing parties, and must disclose whether all parties consent. No request for adjournment will be considered unless made at least forty-eight (48) hours before the scheduled conference unless in an emergency. Ordered by Magistrate Judge Vera M. Scanlon on 12/23/2019. (Quinlan, Krista) (Entered: 12/23/2019)
01/14/2020		Re-SCHEDULING ORDER: Due to a scheduling conflict, the Initial Conference set for 1/30/2020 will begin at 4:00 PM (not 11:30 AM) in Courtroom 13A South before Magistrate Judge Vera M. Scanlon. Counsel are to confirm amongst themselves that all are aware of this change. Ordered by Magistrate Judge Vera M. Scanlon on 1/14/2020. (Quinlan, Krista) (Entered: 01/14/2020)
01/14/2020	<u>7</u>	ANSWER to <u>1</u> Complaint by Joseph Amendola. (Shook, Nathan) (Entered: 01/14/2020)
01/14/2020	<u>8</u>	ANSWER to <u>1</u> Complaint by Amendola Marble & Stone Center, Inc.. (Shook, Nathan) (Entered: 01/14/2020)
01/15/2020	<u>9</u>	NOTICE of Appearance by James Patrick Peter O'Donnell on behalf of Edison Bermeo Berrones, Pedro Cabrera, Jesus Chale (aty to be noticed) (O'Donnell, James) (Entered: 01/15/2020)
01/16/2020	<u>10</u>	SUMMONS Returned Executed by Jesus Chale, Edison Bermeo Berrones, Pedro Cabrera. Ruben Sinchi served on 1/4/2020, answer due 1/27/2020. (Avshalumov, Roman) (Entered: 01/16/2020)
01/23/2020	<u>11</u>	Proposed Scheduling Order by Edison Bermeo Berrones, Pedro Cabrera, Jesus Chale (Avshalumov, Roman) (Entered: 01/23/2020)
01/24/2020	<u>12</u>	SUMMONS Returned Executed by Jesus Chale, Edison Bermeo Berrones, Pedro Cabrera. ABC Corporation served on 1/18/2020, answer due 2/10/2020. (Avshalumov, Roman) (Entered: 01/24/2020)
01/24/2020	<u>13</u>	SUMMONS Returned Executed by Jesus Chale, Edison Bermeo Berrones, Pedro Cabrera. Victor Bautista served on 1/18/2020, answer due 2/10/2020. (Avshalumov, Roman) (Entered: 01/24/2020)
01/30/2020		Minute Entry for proceedings held before Magistrate Judge Vera M. Scanlon: Initial Conference Hearing held on 1/30/2020 in Courtroom 13A South. James O'Donnell appearing for Plaintiffs. Nathan Shook appearing for Defendants. See separate docket entry for Order issuing from this proceeding. (FTR Log #4:00-4:45.) (Quinlan, Krista) (Entered: 02/03/2020)
01/30/2020	<u>14</u>	SCHEDULING ORDER: As discussed during the 1/30/2020 conference (see attached order for additional detail and deadlines), an in person Status Conference is set for 2/26/2020 at 4:00 PM in Courtroom 13A South before Magistrate Judge Vera M. Scanlon. Counsel will prepare the initial disclosures as discussed, including a job list for 9-18-6/19 for Amendola; information about Red Stone; information about "Scott", the foreperson; information about Stone Logic and any interaction with Red Stone or Amendola. Plaintiffs' counsel will try to determine if the non-appearing defendants will participate. Ordered by Magistrate Judge Vera M. Scanlon on 1/30/2020. (Quinlan, Krista) (Entered: 02/03/2020)
02/21/2020	<u>15</u>	MOTION to Adjourn Conference <i>Scheduled for February 26, 2020</i> by Edison Bermeo Berrones, Pedro Cabrera, Jesus Chale. (Avshalumov, Roman) (Entered: 02/21/2020)
02/24/2020		ORDER granting consent <u>15</u> Motion to Adjourn Conference. At the request of the parties, the 2/26/2020 Status Conference is rescheduled to 3/13/2020 at 3:30 PM in Courtroom 13A South before Magistrate Judge Vera M. Scanlon. Counsel are to confirm amongst themselves that all are aware of this change. Ordered by Magistrate

		Judge Vera M. Scanlon on 2/24/2020. (Quinlan, Krista) (Entered: 02/24/2020)
03/11/2020		RE-SCHEDULING ORDER: Counsel are advised that Status Conference is converted to a Telephone Conference set for 3/13/2020 at 3:30 PM before Magistrate Judge Vera M. Scanlon. The Parties are to call 877-336-1829 and type in the access code 3581283. Ordered by Magistrate Judge Vera M. Scanlon on 3/11/2020. (Quinlan, Krista) (Entered: 03/11/2020)
03/13/2020		Minute Entry for proceedings held before Magistrate Judge Vera M. Scanlon:Telephone Conference held on 3/13/2020. James O'Donnell and Alfons D'Auria appearing for Plaintiffs. Nathan Shook appearing for Defendants. See separate docket entry for Order issuing from this proceeding. (FTR Log #3:35-3:57.) (Quinlan, Krista) (Entered: 03/16/2020)
03/13/2020	17	SCHEDULING ORDER: As discussed during the 3/13/2020 conference (see attached order for additional detail and deadlines), all discovery must be completed by 10/16/2020. On or before 10/16/2020, the Parties will file a joint status report letter confirming that discovery is complete. On or before 11/13/2020, the Parties will initiate any dispositive motions in accordance with the Individual Rules of the District Judge. On or before 12/11/2020, the Parties will file their joint Proposed Pretrial Order. A Status Conference is set for 9/16/2020 at 10:30 AM in Courtroom 13A South before Magistrate Judge Vera M. Scanlon. Defendants Sinchi and Bautista are in settlement discussions with Plaintiffs to settle. Any settlement would be subject to Cheeks. An answer must be filed by 4/30/2020. Counsel will engage in informal discovery through 4/30/2020. Plaintiff to send a copy of the docket and order to Defendant Sinchi and Bautista and proof of service by 3/20/2020. Ordered by Magistrate Judge Vera M. Scanlon on 3/13/2020. (Quinlan, Krista) (Entered: 03/16/2020)
03/16/2020	16	NOTICE of Appearance by Alfons D'Auria on behalf of Edison Bermeo Berrones, Pedro Cabrera, Jesus Chale (aty to be noticed) (D'Auria, Alfons) (Entered: 03/16/2020)
04/14/2020		STATUS REPORT ORDER: Plaintiff failed to file proof of service by 3/20/2020 as directed. Plaintiff to send a copy of the docket and order to Defendant Sinchi and Bautista and proof of service by 4/21/2020. Ordered by Magistrate Judge Vera M. Scanlon on 4/14/2020. (Quinlan, Krista) (Entered: 04/14/2020)
04/21/2020	18	Mail receipt (Avshalumov, Roman) (Entered: 04/21/2020)
05/13/2020		STATUS REPORT ORDER: At the 3/13/2020 conference, counsel for Plaintiffs reported that Defendants Sinchi and Bautista were in settlement discussions with Plaintiffs. On or before 5/22/2020, Plaintiffs shall file a status report letter updating the Court regarding latest developments in the settlement discussions. Plaintiffs shall also include a proposed plan of action against Defendants Sinchi and Bautista and Defendant ABC Corporation (aka Stone Logic or Red Stone). Plaintiffs are to send a copy of the docket and this order to Defendants Sinchi and Bautista and file a proof of service by 5/20/2020. Ordered by Magistrate Judge Vera M. Scanlon on 5/13/2020. (Cean, Jasmine) (Entered: 05/13/2020)
05/20/2020	19	Mail receipt (Avshalumov, Roman) (Entered: 05/20/2020)
05/22/2020	20	Letter <i>Re: Status Report</i> by Edison Bermeo Berrones, Pedro Cabrera, Jesus Chale (Avshalumov, Roman) (Entered: 05/22/2020)
05/26/2020		STATUS REPORT ORDER: On or before 7/10/2020, Plaintiffs shall file a status report letter updating the Court regarding latest developments in the settlement discussions. Ordered by Magistrate Judge Vera M. Scanlon on 5/26/2020. (Quinlan, Krista) (Entered: 05/26/2020)
07/06/2020	21	Request for Certificate of Default by Edison Bermeo Berrones, Pedro Cabrera, Jesus Chale (Avshalumov, Roman) (Entered: 07/06/2020)
07/07/2020		SCHEDULING ORDER: A Telephone Conference is set for 7/29/2020 at 3:00 PM before Magistrate Judge Vera M. Scanlon. The Parties are to call 877-336-1829 and type in the access code 3581283 for the AT&T conference bridge. Should the Parties experience delays or difficulty accessing the conference bridge due to a high volume of calls, please dial again. In case of an emergency or should the Parties need to apprise the Court of any confidential developments requiring an adjournment of the telephone conference, the Parties may contact the Court via email at Scanlon_Chambbers@nyed.uscourts.gov with 3 proposed alternative dates. No ex parte communications. Ordered by Magistrate Judge Vera M. Scanlon on 7/7/2020. (Quinlan, Krista) (Entered: 07/07/2020)
07/10/2020	22	Letter <i>re: Status Report</i> by Edison Bermeo Berrones, Pedro Cabrera, Jesus Chale (Avshalumov, Roman) (Entered: 07/10/2020)
07/22/2020	23	Letter MOTION to Adjourn Conference by Amendola Marble & Stone Center, Inc.. (Shook, Nathan) (Entered: 07/22/2020)
07/23/2020		ORDER granting joint 23 Motion to Adjourn Conference. At the request of the parties, the 7/29/2020 Telephone Conference is rescheduled to 8/12/2020 at 11:00 AM before Magistrate Judge Vera M. Scanlon. The Parties are to call 877-336-1829 and type in the access code 3581283 for the AT&T conference bridge. Should the Parties experience delays or difficulty accessing the conference bridge due to a high volume of calls, please dial again. In case of an emergency or should the Parties need to apprise the Court of any confidential developments requiring an adjournment of the telephone conference, the Parties may contact the Court via email at Scanlon_Chambbers@nyed.uscourts.gov with 3 proposed alternative dates. No ex parte communications. Ordered by Magistrate Judge Vera M. Scanlon on 7/23/2020. (Quinlan, Krista) (Entered: 07/23/2020)
08/12/2020	24	NOTICE of Appearance by Janelle Jade Romero on behalf of Edison Bermeo Berrones, Pedro Cabrera, Jesus Chale (aty to be noticed) (Romero, Janelle) (Entered: 08/12/2020)
08/12/2020		Minute Entry for proceedings held before Magistrate Judge Vera M. Scanlon:Telephone Conference held on 8/12/2020. Janelle Romero appearing for Plaintiffs. Nathan Aaron Shook appearing for Defendants. See separate docket entry for Order issuing from this proceeding. (FTR Log #11:03-11:40.) (Quinlan, Krista) (Entered: 08/12/2020)
08/12/2020		ORDER: As discussed during the 8/12/2020 conference, Plaintiffs' counsel is to file a letter with the contact information for Stone Logic or Red Stone, Ruben Sinchi and Victor Bautista. Discovery schedule set at 3/13/2020 conference will remain. The parties are reminded of the 9/16/2020 telephone conference. Defendants Sinchi and Bautista and a representative of Red Stone or Stone Logic must participate. If they fail to appear, this Court may permit Plaintiffs to move for default judgment against them. The Clerk's Office is requested not to issue default requested at 21 until directed by this Court. Plaintiff to send a copy of the docket and order to Defendant Sinchi and Bautista and proof of service by 8/19/2020. Ordered by Magistrate Judge Vera M. Scanlon on 8/12/2020. (Quinlan, Krista) (Entered: 08/12/2020)

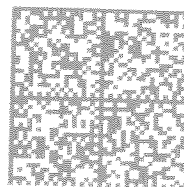
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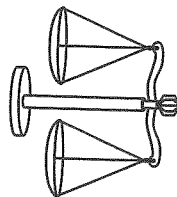
Helen F. Dalton and Associates, P.C.
Attorneys at Law

80-02 Kew Gardens Road, Suite 601, Kew Gardens, NY 11415

Ruben Sinchi
39-14 112th Street
Corona, New York 11368



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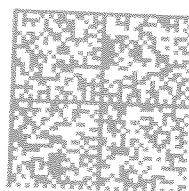


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Attorneys at Law

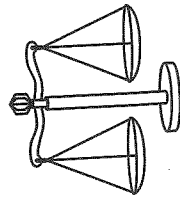
80-02 Kew Gardens Road, Suite 601, Kew Gardens, NY 11415

Ruben Sinchi
92 Wood Avenue
Mastic, NY 11950



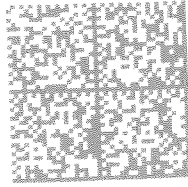
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Helen F. Dalton and Associates, P.C.
Attorneys at Law

80-02 Kew Gardens Road, Suite 601, Kew Gardens, NY 11415



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Victor Bautista
39-14 112th Street
Corona, New York 11368